

Glenn County Special Education Local Plan Area

SELPA Administrative Regulation

ANIMALS ON SCHOOL PROPERTY OR AT SCHOOL SPONSORED PROGRAMS AND ACTIVITIES

General

All animals brought to school must be:

1. In good physical condition.
2. Vaccinated against transmittable diseases.
3. In clean, safe and suitable cages or containers, or otherwise appropriately controlled at all times.

Students bringing animals to school (including service animals), must have the written consent of the parent/guardian and must first obtain the consent of the teacher and the appropriate site administrator.

Instructors should be familiar with the needs and behaviors of a given species prior to its introduction into the classroom. Students should be instructed on proper animal care and handling before having direct contact with the animals.

Animals shall not be brought to school on school buses without express permission of the appropriate site administrator or designee, except that service animals needed by students with disabilities may accompany the student on the bus.

Animals under the control of public safety officials may have access to Glenn County Office of Education property and program locations for enforcement, educational and public relation purposes. Use of these animals is under the jurisdiction of the applicable local ordinance; or state and/or federal laws, codes and regulations. The provisions of this policy directly related to the safety of students, staff and visitors are to be brought to the attention of these officials by the site or program administrator; or the teacher in the absence of an administrator.

Special consideration shall be given to any students who have allergies to certain animals, including the exclusion of these animals from the school, except that all reasonable accommodations shall be made for service animals used by individuals with a disability.

Students shall not bring poisonous or wild animals to school. If wildlife specimens are used in a biology class, protective gloves and a face shield shall be worn by anyone handling these specimens and the animals' saliva and neurological tissue shall be treated as infectious.

Animals brought to school by professional handlers for demonstration purposes must be under the control of the handlers at all times. All precautions should be taken to assure that the animals do not pose a threat to students, staff or visitors.

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Animals brought to school by students or staff shall generally be taken home the same day they are brought to school. With the consent of the appropriate site or program administrator, or designee, animals may remain at school under the following conditions:

1. The animal shall remain in the classroom only for the number of days needed to achieve the educational goal.
2. The teacher shall provide a plan for the proper care, sanitation, feeding and handling of the animal.
3. The teacher shall be responsible for the animal's care in the event of any school closure, and may allow students to take class pets home when school is out of session, with the written consent of the parent/guardian.
4. The teacher shall be familiar with any potential dangers that may be posed by the animal.

Non-service animals must be removed immediately from school premises upon the request of the school site or district level administrator.

Service Animals

Pursuant to Civil Code section 54.2, individuals with disabilities, including children with disabilities, have the right to be accompanied by specially trained guide dogs, signal dogs, or service dogs in all public places, including schools. This regulation is designed to provide guidance regarding the use of guide dogs, signal dogs, and service dogs by students with disabilities enrolled in schools within the Glenn County Office of Education, as well as the use of such dogs by visitors and staff on school property and at school-sponsored programs and activities.

1. Definitions

- (a) **Individual with a Disability:** As defined by Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the ADA Amendments Act of 2008.
- (b) **Guide Dog:** means any guide dog trained by an appropriately licensed person to assist an individual with a disability.
- (c) **Signal Dog:** means any dog trained to alert an individual, who is deaf or hearing impaired, to intruders or sounds.
- (d) **Service Dog:** means any dog individually trained to the requirements of the individual with a disability, including, but not limited to, minimal protection work, rescue work, pulling a wheelchair, or fetching dropped items.

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- (e) **Service Animal:** means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.
- (e) **User:** means an individual with a disability as defined in Paragraph 1(a) above and persons authorized to train guide dogs, signal dogs, or service dogs for individuals with disabilities, consistent with California Civil Code sections 54.1 and 54.2.

2. Right to Use of Facilities and Services

An individual with a disability has the right to be accompanied on school property or at school-sponsored programs or activities by a guide dog, signal dog, or service dog specially trained for an individual with a disability subject to the consent of the school principal or designee. The principal or designee may permit an individual with a disability to be accompanied by a service animal specially trained for that person, subject to the following conditions:

- (a) The user shall provide information to the principal, or designee may ask the individual whether: 1) The animal is required because of a disability, and 2) What work or task the animal has been trained to perform, except when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (28 C.F.R., § 35.36(f).)

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- (b) The user shall provide information to the principal or designee that the animal is socialized to behave appropriately around the children and adults.
- (c) The user shall ensure the dog is properly harnessed or on a leash at all times.
- (d) The user shall ensure that the dog is housebroken.
- (e) The user shall provide evidence of proper inoculations and identification.
- (f) The user shall complete and sign a release of liability form, which shall release the district from any and all liability for damage to persons, premises, or facilities caused by the dog. If the user is a minor under the age of eighteen (18) years old, the parent/guardian shall complete and sign the release of liability form. By signing the release, the individual, or the parent/guardian if the individual is a minor, agrees to assume all liability for any and all damage to persons, premises, or facilities caused by the dog.
- (g) The user shall be responsible for the care and conduct of the dog at all times. The dog shall be under the user's control at all times. The user is responsible for the cleanliness of the dog, including flea control, to protect the health and safety of others and for assuring the proper and safe disposal of all waste elimination of the service dog.
- (h) The service dog shall not exhibit aggressive behavior toward staff, students, or any individuals; and may not otherwise pose a direct threat to the health and/or safety of others, and may not be disruptive to the educational environment.

If the user fails to satisfy any of the above conditions, the principal or designee shall not permit the user to bring the dog on school property or to school-sponsored programs or activities. If the principal or designee grants permission to the user to bring a guide dog, signal dog, or service dog on school property or to school-sponsored programs or activities, the user shall continue to be subject to the conditions stated above. Should the user fail to abide by these conditions, the user shall be required to remove the dog immediately and not bring the dog back on school property until he or she can demonstrate that all conditions are met.

Any guide dog, signal dog, or service dog brought to school by an individual with a disability, shall be taken home the same day.

3. Right to Use of School Transportation

Guide dogs, signal dogs, or service dogs trained to provide assistance to individuals with disabilities may be transported in a school bus when accompanied by students with disabilities enrolled in a public or private school, by disabled teachers employed in a public or private school or community college, and by individuals who train such dogs.

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Before granting permission to a student with a disability, who is enrolled in a public school of the district and has a Section 504 plan or an individualized education program (IEP), to bring a guide dog, signal dog, or service dog on school property or to school-sponsored programs or activities, the principal or designee shall determine whether the student's Section 504 or IEP team has addressed the student's educational needs in another manner that would eliminate his or her need for the dog in order to receive a free appropriate public education (FAPE). When appropriate, the principal or designee shall schedule a meeting of the student's Section 504 or IEP team to further clarify the student's need for additional support in the classroom. The principal or designee shall also do the following:

- (a) Verify that the user/parent has submitted all required information and that the information meets the stated requirements
- (b) Provide written notification to all parents/guardians of students in the particular class, requesting information regarding whether their child has any known allergies, asthma, or other health-related conditions that may be affected by the dog's presence in the classroom. If it is determined that a student in the particular class has a health-related condition that would be affected by the presence of the dog, the principal or designee shall make a determination taking into consideration the needs and rights of both students.
- (c) Make a reasonable judgment whether it is safe to bring the dog on school property based on available objective information regarding whether the dog presents an unacceptable risk or threat to others. In making this determination, the principal or designee may consider factors such as, but not limited to, the dog's breeding, training, and propensity for harmful or frightening interaction with children or others reasonably attributed to that particular type of dog as determined by those knowledgeable about such dogs.

Based on the above, the principal or designee shall determine whether to approve or deny the request to allow a dog on school property or to a school-sponsored program or activity and inform the parent.

5. Liability for Service Animals

The district assumes no responsibility for any guide dog, signal dog, or service dog brought on school property or to school-sponsored programs or activities.

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The use of guide dogs, signal dogs, and service dogs must comply with all relevant federal and state laws.

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